



FilmWest
<filmwest@gmail.com>
10/28/2009 03:35 PM

To "LeCours, Catherine" <clecours@mt.gov>, Carol
Campbell/R8/USEPA/US@EPA, Robert
Ward/RC/R8/USEPA/US@EPA, Cory
cc Andy Lensink/R8/USEPA/US@EPA

bcc

Subject Re: EPA visit to Libby on October 22 and DEQ Job Profile

History: This message has been replied to and forwarded.

On 10/28/09 1:01 PM, "Film West" <filmwest@gmail.com> wrote:

Catherine,

I have spoken to numerous officials and representatives during the past few weeks in an effort to get the right attention to these concerns in Libby as swiftly as possible.

I have experienced everything from neglect and no return phone calls, to a growing number of people who have seen the facts and express the same concerns both inside and outside the agencies. None of these conversations caused more concern than the one I had with you yesterday. I hope it was a complete accident, and uncommon for your office. The only way I can describe it, is : chilling.

Because you are a site manager, but stated you had not recently been on site, you heard every detail we could think to relate to you about what is happening in Libby. You know that people have already died from exposure. I indicated to you it is now a concern that people have said they are experiencing new respiratory issues and other symptoms. I told you I had watched four people die this past year from exceptionally rare auto immune diseases and my growing awareness of various others. I indicated after researching medical studies linking asbestos exposure to auto immune disease this past week, I realized the numbers don't add up (all four diseases are contracted by one in millions, one of the disorders is contracted by 1 in 10,000,000 another 1 in 30,000,000, etc--- Libby's population is less than 5,000) I now think there may be some correlation to their exposure to the asbestos in Libby. I communicated this to a Specialist at Oregon Health and Sciences University who seems to concur. You can do your own

research and draw the same conclusions. The studies and information are voluminous.

I never gave it a second thought before, never made a connection at all. Then, a few weeks ago, while visiting Montana and Glacier park, I began experiencing the dust. It was dust in blankets, dust in soft moving clouds, dust in gritty spritzes, sometimes just dust. But, it was constant and did not let up. The noise and movement in that cleanup headquarters yard was constant and exhaustive. I could not believe what I was seeing and hearing, but most of all feeling. I went over to the headquarters. I had originally thought it was wonderful when I heard Libby had more help, more efforts committed. Nothing could have prepared me for those "efforts".

All we could think about were the blatantly obvious imminent safety concerns, and thought, "How and why is this happening?" and "Who is allowing this and making these decisions?"

I then started reaching out to anyone who was in a decision making capacity that could hear these concerns and see what we were seeing.

You heard and saw and your response was chilling. You expressed absolutely no concern. You seemed inconvenienced. It was all about you. Your job. The way you do your job. The way you see this. Your efforts to qualify my concerns.

But you are not there. You stated more than once you have never been there. You are not breathing the deadly dust.

Your comments during our communication prompted a request for a copy of your job description so we might better understand the agency structures. (a portion of your job description is pasted below:)

This position is relied upon to identify and reduce unacceptable public health and environmental risks due to hazardous substance releases; therefore, accuracy and sound judgment are essential...

Field work includes site data collection, oversight, or inspection activities. Travel and field investigations may involve long working hours, adverse weather, potential exposure to hazardous substances, and arduous physical activity.

Management and Supervision of Others:

Identification of need, and as necessary, direction of private consultants and contractors

How can you inspect and/or collect data, identify and reduce public health

and environmental risks if you do not REGULARLY go to the sites?

How can you direct the contractors? The headquarters base camp seems to be the obvious first place to go. Why have you NEVER been there?

You stated the concerns I expressed had nothing to do with you and were not your responsibility.

All of these same concerns are referenced in your job description as absolutely your responsibility.

You indicated you had not visited any of the cleanup sites in Libby last week after traveling 5-6 hours to get there from Helena. When I asked you why the cleanup headquarters is based in a school zone, residential area near the communities food sources and hotels, you stated you have never been onsite at the headquarters and didn't know where it was. When I asked you "Isn't that part of your responsibility as Manager?" You said, "No" I stressed over and over a concern that you look at things more carefully in Libby. That you please get involved. And referenced the people. You were unmoved. I have sensed this from other representatives as well, but your response was deafening.

I hope by today you have re-thought your position. I do not know you, nor do I wish to make personal slights. This is not about you, only the way you do your job and the people who depend upon you for their safety, and maybe ultimately their lives. No amount of power or bureaucracy is worth people losing their lives over. I urge you to see this differently, to affect immediate change everywhere you can in a way that benefits people. Forget yourself. Do it for the people.

I silently hope that each of you put all meetings on hold and facilitate action. Stop the cleanup until it is safe. In it's current state, the cleanup has very possibly further endangered people. It has very possibly simply exacerbated a very serious problem. Many of the hazards are unknown, and it is understandable that there has been an effort made to get rid of this dangerous material but it is a waste of precious resources, time and money unless it is done right. Most importantly, there is a growing concern that unless immediate changes are made you have and are INCREASING THE RISK to the people. Please, make it stop until it is safe.

It potentially would have been safer to leave this material in walls and ceilings than to blow it out into the environment through damaged equipment and drag it through town on contaminated trucks and heavy

equipment. Now they are operating at night, under the cover of darkness. In a school zone and residential area? Do I really have to be the one asking these questions? Would you allow this in your neighborhood where your children go to school?

I urge you to please consider these citizens as though they were your own family. Maybe that will help facilitate better decisions. Every good thing you have done or will do will be appreciated.

Sincerely,

Michelle Hartly

On 10/28/09 6:48 AM, "LeCours, Catherine" <clecours@mt.gov> wrote:

Ms. Hartley,

In response to our phone conversation of yesterday, attached please find the job profile for my position with the State of Montana.

Below please find the Western News article summarizing the purpose of Mr. Stanislaus' visit to Libby last week.

Thank you for your interest in the Libby Asbestos Superfund Site.

Catherine LeCours
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<http://www.thewesternnews.com/articles/2009/10/27/news/doc4ae749f520694658351451.txt>

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function printDialogWidget(){ if (window.print) { window.print(); } else
{ var WebBrowser = ";document.body.insertAdjacentHTML('beforeEnd',
WebBrowser);WebBrowser1.ExecWB(6, 2);WebBrowser1.outerHTML = "";
}}if (parseInt(navigator.appVersion) > 3) { document.write("");} Top of Form
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EPA's No. 2 visits Superfund site in Libby



Brad Fuqua/The Western News

The EPA's Victor Ketellapper, from left, Mike Cirian and Mathy Stanislaus discuss Superfund issues on Thursday at the former export plant site in Libby.

By Canda Harbaugh, The Western News

The City-County Health Board meeting in Libby Thursday featured a top Environmental Protection Agency official that embraced the theme of increasing the EPA's transparency, accessibility and cooperation with the community.

Mathy Stanislaus, assistant administrator for the EPA's Office of Solid Waste and

Emergency Response, took charge of the nation's Superfund sites after being confirmed to the position in June.

He took a tour of some of the site's operable units last week and participated in the meeting to get a feel for the community's concerns.

"I very much come from a perspective of communities having a strong role in the decisions of government," Stanislaus said. "I've really impressed on my staff that we provide access and transparency in a way that communities can participate effectively through all of the decisions that we make."

Allan Payne, an attorney helping the City of Libby through the Superfund process, complimented Stanislaus on his environmental justice work and one of his past speeches that emphasized community involvement.

"That's critical for this community," Payne said. "Those are uplifting words for us. Those are very powerful things and I know that there's substance behind those."

Though board members spoke in congenial tones, they described their frustration with the EPA and the Superfund process.

Concerns included:

- Asbestos cleanup occurring before the results of toxicity studies.
- Toxicity studies using old science and not integrating childhood exposures.
- Institutional controls and the financial burden that could potentially be left with local government once the EPA declares the site clean.
- Bureaucracy and perceived political motivation dictating decisions.
- Distrust produced from the EPA not involving the community in the process.
- Challenges associated with the negative national attention stemming from the Libby area being a Superfund site.

"It was a good listening session for Mathy to hear the concerns directly from the community," said John Konzen, county commissioner and City-County Health Board chair. "I thought he listened and asked some good questions."

Brad Black, county health officer and physician at the Center for Asbestos Related Disease, asked how the EPA could implement Records of Decision and perform cleanups without knowing the risk level associated with Libby amphibole asbestos. The former screening plant and city-owned former export plant are scheduled to have RODs early next year.

"Certainly now as we're talking about moving from emergency removal to remediation, this is where we start setting standards of cleanup," Black said. "We've been talking about RODs, and yet in our mind, we're saying, 'Look, we don't have a baseline risk assessment - how in the world are we going to clean it up right?'"

Stanislaus said that toxicity studies will continue to be a priority, but in the meantime, the exposure path must be broken as soon as possible.

"In terms of the short-term stuff, what we want to do is prevent exposure," Stanislaus said. "... I look forward to hearing your comments on how do we make sure we prevent exposure, while also being clear that we have to move forward on the science."

Leroy Thom, vice president of CARD's board of directors, described his feeling that in the past few years the EPA has shut down community involvement. He said it appeared to be a decision made at the Region 8 Denver office or in Washington D.C. on a national level.

"I've seen a change in the attitude of EPA since it (Libby Superfund site) began," Thom said. "When it was first here, they were very accommodating, more than willing to go the extra step, were more than interested in getting it right than what I think is going on right now."

Stanislaus emphasized to the board and attendees to hold him and his office accountable and to reach him if there is a problem.

Lisa Jackson, administrator for the EPA, promised the U.S. Senate in January that upon confirmation to the agency's top position, she would visit the Libby Superfund site and consider declaring a public health emergency. She made the declaration in June and though she has not made the visit to Libby herself, sending Stanislaus was considered a show of commitment.

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"We did not come here to fear the future, we came here to shape it."

---President Barack Obama to Joint Session of Congress, September 9, 2009